

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

ALL CASES

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**DEFENDANTS' EXPEDITED MOTION TO STAY DISTRICT COURT
PROCEEDINGS UNTIL FINAL RESOLUTION OF THE MANDAMUS
PETITIONS CURRENTLY PENDING BEFORE THE COURT OF APPEALS**

Defendants¹ respectfully move the Court to issue an expedited order staying the district court proceedings until final resolution of the mandamus petitions recently filed by the State of Ohio and by various Defendants in the Sixth Circuit. Defendants make this motion based on the reasons given in the accompanying memorandum of law, which is incorporated here.

¹ Moving Defendants are McKesson Corporation, Cardinal Health, Inc., Amerisource Bergen Drug Corporation, Walgreen Co., Walgreen Eastern Co., Henry Schein, Inc., Henry Schein Medical Systems, Inc., Teva Pharmaceuticals USA, Inc., Cephalon, Inc., Watson Laboratories, Inc., Actavis LLC, and Actavis Pharma, Inc. f/k/a/ Watson Pharma, Inc.

DATED: October 1, 2019

Respectfully submitted,

/s/ Geoffrey E. Hobart
Geoffrey E. Hobart
Mark H. Lynch
Beth S. Brinkmann
COVINGTON & BURLING LLP
One CityCenter
850 Tenth Street, N.W.
Washington, DC 20001
Tel: (202) 662-6000
ghobart@cov.com
mlynch@cov.com
bbrinkmann@cov.com

Counsel for McKesson Corporation

/s/ Robert A. Nicholas
Robert A. Nicholas
Shannon E. McClure
REED SMITH LLP
Three Logan Square
1717 Arch Street, Suite 3100
Philadelphia, PA 19103
Tel: (215) 851-8100
Fax: (215) 851-1420
rnicholas@reedsmith.com
smcclure@reedsmith.com

*Counsel for AmerisourceBergen
Drug Corporation*

/s/ Enu Mainigi
Enu Mainigi
WILLIAMS & CONNOLLY LLP
725 Twelfth Street, N.W. Washington,
DC 20005
Tel: (202) 434-5000
Fax: (202) 434-5029
emainigi@wc.com

Counsel for Cardinal Health, Inc.

/s/ Kaspar J. Stoffelmayr
Kaspar J. Stoffelmayr
Brian C. Swanson
Katherine M. Swift
Matthew W. Brewer
BARTLIT BECK LLP
54 West Hubbard Street
Chicago, IL 60654
Tel: (312) 494-4400
Fax: (312) 494-4440
kaspar.stoffelmayr@bartlitbeck.com
brian.swanson@bartlitbeck.com
kate.swift@bartlitbeck.com
matthew.brewer@bartlitbeck.com

Alex J. Harris
BARTLIT BECK LLP
1801 Wewatta Street, Suite 1200
Denver, CO 80202
Tel: (303) 592-3100
Fax: (303) 592-3140
alex.harris@bartlitbeck.com

*Counsel for Walgreen Co. and Walgreen
Eastern Co.*

/s/ John P. McDonald

John P. McDonald
C. Scott Jones
Lauren M. Fincher
Brandan J. Montminy
LOCKE LORD LLP
2200 Ross Avenue, Suite 2800
Dallas, TX 75201
Tel: (214) 740-8000
Fax: (214) 756-8758
jpmcdonald@lockelord.com
sjones@lockelord.com
lfincher@lockelord.com
brandan.montminy@lockelord.com

*Counsel for Henry Schein, Inc. and
Henry Schein Medical Systems, Inc.*

/s/ Steven A. Reed

Steven A. Reed
Eric W. Sitarchuk
Rebecca J. Hillyer
MORGAN, LEWIS & BOCKIUS
LLP
1701 Market Street
Philadelphia, PA 19103-2921
Tel: (215) 963-5000
Fax: (215) 963-5001
steven.reed@morganlewis.com
eric.sitarchuk@morganlewis.com
rebecca.hillyer@morganlewis.com

Brian M. Ercole
MORGAN, LEWIS & BOCKIUS
LLP
200 S. Biscayne Blvd., Suite 5300
Miami, FL 33131-2339
Tel: (305) 415-3000
Fax: (305) 415-3001
brian.ercole@morganlewis.com

*Counsel for Teva Pharmaceuticals
USA, Inc., Cephalon, Inc., Watson
Laboratories, Inc., Actavis LLC, and
Actavis Pharma, Inc. f/k/a Watson
Pharma, Inc.*

CERTIFICATE OF SERVICE

I, Geoffrey E. Hobart, hereby certify that the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ Geoffrey E. Hobart
Geoffrey E. Hobart